

## REMARKS/ARGUMENTS

The Office Action of July 24, 2007 has been carefully reviewed and these remarks are responsive thereto. Claims 1, 9, and 17 have been amended. Claims 29 and 30 have been canceled without prejudice or disclaimer. No new matter has been added. Reconsideration and allowance of the instant application are respectfully requested. Claims 1, 3-9, 11-17, and 19-28 are pending in this application.

### ***Rejections Under 35 U.S.C. § 112***

Claims 29 and 30 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants have canceled claims 29 and 30 and thus this rejection is respectfully traversed.

### ***Rejections Under 35 U.S.C. § 102***

Claims 1, 9, 17, 21-23, 25, and 28 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,559,548 to Davis, et al. (“Davis”). Applicants respectfully traverse this rejection.

Amended claims 1, 9, and 17 recite, among other inventive features, “determining the first word appears in the database at a greater frequency than the second word,” “determining the first word is a less descriptive word *in response to determining the first word appears in the database with a greater frequency than the second word*,” and “selectively removing the *less descriptive* word from the program title to create an abbreviated program title.” (Emphasis added.)

As Applicants have previously noted, the portion of Davis upon which the Action relies, merely relates to shortening a program title by querying an editor or by comparing the program title with shortened titles stored in a library, to determine if the program title has previously been shortened. Davis, col. 17, l. 63-67; col. 18, l. 35-43; col. 19, l. 38-43; Figs. 10A, 11a, 11b. In other words, the cited portion of Davis merely describes determining words for use in shortening of a title, based on comparing the title to be shortened with a library of shortened titles. Thus, Davis does not determine that a first word appears in a database at a greater frequency than a

second word; rather Davis merely determines whether a title has been shortened in the past using a shortened titles database.

However, assuming without conceding, that a word appearing in a shortened title in the library describes determining a first word appearing in a database at a greater frequency than a second word, Davis discloses shortening a title by removing the words *that do not appear* in the library of previously shortened titles. Additionally, as conceded by the Action, Davis discloses determining a *second word to be the less descriptive word* in response to determining that the first word appears in the database with a greater frequency than the second word. Office Action, page 8 (Emphasis added). Thus, Davis' description is contrary to the features recited in independent claims 1, 9, and 17. Specifically, Davis does not teach or suggest determining the first word is a less descriptive word than the second word *in response to determining the first word appears in the database with a greater frequency than the second word* and selectively *removing the less descriptive word* from the program title to create an abbreviated program title, as recited in claims 1, 9, and 17. Accordingly, claims 1, 9 and 17 are allowable over Davis for at least these reasons.

Claims 21-23, 25, and 28 depend directly or indirectly from claims 1, 9, or 17 and are allowable for at least the reasons as their base claim.

### ***Rejections Under 35 U.S.C. § 103***

Claims 3-5, 8, 11-13, 16, 19-20 stand rejected 35 U.S.C. § 103(a) as being unpatentable over Davis in view of U.S. Patent No. 6,279,018 to Kudrolli, et al. ("Kudrolli"). Claims 6 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of U.S. Patent No. 6,981,217 to Knauft et al. ("Knauft"). Claims 7 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Kudrolli and in further view of U.S. Patent No. 6,374,225 to Hejna, Jr. ("Hejna"). Claims 24, 26, and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of U.S. Patent No. 6,169,543 to Wehmeyer ("Wehmeyer"). Applicants respectfully traverse these rejections.

Notwithstanding the propriety of combining Davis and Kudrolli, Kudrolli fails to remedy the deficiencies described above with respect to claims 1, 9 and 17, upon which claims 3-5, 8, 11-13, 16 and 19-20 respectively depend. At best, Kudrolli describes replacement of less

commonly used phrases and words. *See, e.g.,* col. 7, lines 45 - 46. Therefore, Kudrolli does not teach or suggest determining the first word is a less descriptive word than the second word *in response to determining the first word appears in the database with a greater frequency than the second word* and selectively *removing the less descriptive word* from the program title to create an abbreviated program title. As such, the combination of Davis and Kudrolli does not result in the invention of claims 3-5 and 8, which depend from claim 1, claims 11-13 and 16, which depend from claim 17, and claims 19-20, which depend from claim 17. Claims 3-5, 8, 11-13, 16, and 19-20 are thus allowable for at least the same reasons as their respective base claims, and further in view of the other novel and non-obvious features recited therein.

Even assuming, without admitting, that the combination of Davis and Knauft is proper, Knauft fails to remedy the deficiencies of Davis described above with respect to claims 1 and 9 (from which claims 6 and 14 depend, respectively). Therefore, claims 6 and 14 are patentably distinct from the combination of Davis and Knauft for at least the same reasons as claims 1 and 9, respectively, and further in view of the novel and non-obvious features recited therein.

Even assuming, without admitting, that the combination of Davis, Kudrolli and Hejna is proper, Kudrolli and Hejna, alone or in combination, fail to remedy the deficiencies of Davis described above with respect to Applicants' claims 1 and 9 (from which claims 7 and 15 depend, respectively). Therefore, claims 7 and 15 are patentably distinct from the combination of Davis, Kudrolli and Hejna for at least the same reasons as claims 1 and 9, respectively, and further in view of the novel and non-obvious features recited therein.

Even assuming, without admitting, that the combination of Davis and Wehmeyer is proper, Wehmeyer fails to remedy the deficiencies of Davis described above with respect to claim 17. Therefore, claims 24, 26, and 27 are patentably distinct from the combination of Davis and Wehmeyer for at least the same reasons as claim 17, and further in view of the novel and non-obvious features recited therein.

**CONCLUSION**

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

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By: /Chunhsu Andy Mu/  
Chunhsu Andy Mu  
Registration No. 58,216

1100 13<sup>th</sup> Street, N.W.  
Washington, D.C. 20005-4051  
Tel: (202) 824-3000  
Fax: (202) 824-3001